



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

**NOV 01 2013**

CERTIFIED MAIL 7012 1010 0001 8097 1341  
RETURN RECEIPT REQUESTED

Dr. Sandra Dudley, Director  
Division of Water Resources  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11<sup>th</sup> Floor  
Nashville, Tennessee 37243

Re: Notice of Violation No. 309-2014-02  
National Pollutant Discharge Elimination System Permit No.: TN0020508  
City of Decherd Sewage Treatment Plant

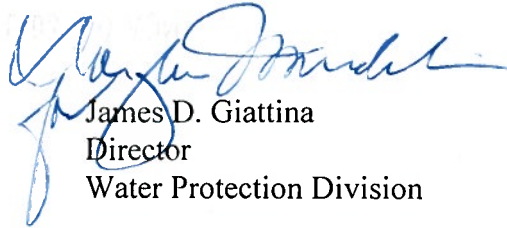
Dear Dr. Dudley:

Pursuant to Section 309(a)(1) of the Clean Water Act, 33 U.S.C. § 1319(a)(1), the U. S. Environmental Protection Agency, Region 4 has determined that the City of Decherd (City) is in violation of its National Pollutant Discharge Elimination System Permit No.: TN0020508 (Permit) for the City of Decherd Sewage Treatment Plant and has violated, at a minimum, effluent requirements for the parameters summarized here: Total Suspended Solids, Settleable Solids, Total Nitrogen, Total Ammonia Nitrogen, Total Phosphorus, Dissolved Oxygen, E.Coli, 7 Day Chronic Ceriodaphnia and Discharge Monitoring Report Nonreceipt. The EPA is simultaneously notifying the City of these findings through the issuance of a Notice of Violation (NOV). A copy of the NOV to the City is enclosed for your convenience and record.

If the State of Tennessee (State) commences appropriate action within 30 days of receipt of this letter to ensure that the City achieves expeditious compliance with its Permit, additional involvement by the EPA may not be required. However, if the State does not take such action, the EPA may then take the necessary steps to require the City to come into compliance. Please advise the EPA within 15 days of receipt of this letter of the action(s) you plan to take in this matter to ensure that the City achieves expeditious compliance with its Permit requirements. If a formal enforcement action is taken, please provide a copy of the applicable documents for our records.

If you have questions regarding this notice, please contact Mr. Maurice Horsey, of my staff, at (404) 562-9764 or via e-mail at [Horsey.Maurice@epa.gov](mailto:Horsey.Maurice@epa.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "James D. Giattina".

James D. Giattina  
Director  
Water Protection Division

Enclosure



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

NOV 01 2013

CERTIFIED MAIL 7012 1010 0001 8097 1358  
RETURN RECEIPT REQUESTED

Honorable Betty Don Henshaw  
Mayor  
City of Decherd  
P.O. Box 488  
Main Street (Highway 50)  
Decherd, Tennessee 37324

Re: Notice of Violation No. 309-2014-02  
Information Request pursuant to 308 of the Clean Water Act  
National Pollutant Discharge Elimination System Permit No.: TN0020508  
City of Decherd Sewage Treatment Plant

Dear Mayor Henshaw:

Pursuant to Section 309(a)(1) of the Clean Water Act (CWA), 33 U.S.C. §1319(a)(1), the U.S. Environmental Protection Agency Region 4 hereby notifies the City of Decherd that it has violated its National Pollutant Discharge Elimination System Permit No.: TN0020508 (Permit) for the City of Decherd Wastewater Treatment Plant (City). Specifically, the City has violated effluent requirements for the parameters and months summarized below:

<u>Parameter</u>	<u>Violation</u>	<u>Measurement</u>	<u>Limit</u>	<u>Outfall</u>	<u>Reporting Period</u>
Dissolved Oxygen	Instantaneous Minimum	5.48 mg/L	6.0 mg/L	001	06/30/2012
Dissolved Oxygen	Instantaneous Minimum	4.68 mg/L	6.0 mg/L	001	07/31/2012
Dissolved Oxygen	Instantaneous Minimum	5.2 mg/L	6.0 mg/L	001	08/31/2012
Total Suspended Solids	Daily Maximum	62.5 mg/L	45.0 mg/L	001	07/31/2012
Total Suspended Solids	Daily Maximum	56.0 mg/L	45.0 mg/L	001	09/30/2012
Total Suspended Solids	Daily Maximum	49.3 mg/L	45.0 mg/L	001	01/31/2013
Total Nitrogen	Monthly Average	19.78 mg/L	11.0 mg/L	001	08/31/2012
Total Nitrogen	Monthly Average	21.83 mg/L	11.0 mg/L	001	09/30/2012
Total Nitrogen	Monthly Average	15.38 mg/L	11.0 mg/L	001	10/31/2012
Total Ammonia Nitrogen	Monthly Average	3.51 mg/L	1.1 mg/L	001	06/30/2012
Total Ammonia Nitrogen	Weekly Average	3.51 mg/L	1.8 mg/L	001	06/30/2012
Total Ammonia Nitrogen	Daily Maximum	9.14 mg/L	2.4 mg/L	001	06/30/2012
Total Ammonia Nitrogen	Monthly Average	15.03 lbs/day	9.2 lbs/day	001	07/31/2012
Total Ammonia Nitrogen	Monthly Average	6.22 mg/L	1.1 mg/L	001	07/31/2012
Total Ammonia Nitrogen	Weekly Average	6.71 mg/L	1.8 mg/L	001	07/31/2012
Total Ammonia Nitrogen	Daily Maximum	10.9 mg/L	2.4 mg/L	001	07/31/2012

<b><u>Parameter</u></b>	<b><u>Violation</u></b>	<b><u>Measurement</u></b>	<b><u>Limit</u></b>	<b><u>Outfall</u></b>	<b><u>Reporting Period</u></b>
Total Ammonia Nitrogen	Monthly Average	45.32 lbs/day	9.2 lbs/day	001	08/31/2012
Total Ammonia Nitrogen	Weekly Average	43.59 lbs/day	15.0 lbs/day	001	08/31/2012
Total Ammonia Nitrogen	Monthly Average	25.93 mg/L	1.1 mg/L	001	08/31/2012
Total Ammonia Nitrogen	Weekly Average	24.71 mg/L	1.8 mg/L	001	08/31/2012
Total Ammonia Nitrogen	Daily Maximum	167 mg/L	2.4 mg/L	001	08/31/2012
Total Ammonia Nitrogen	Monthly Average	3.37 mg/L	1.1 mg/L	001	09/30/2012
Total Ammonia Nitrogen	Weekly Average	3.36 mg/L	1.8 mg/L	001	09/30/2012
Total Ammonia Nitrogen	Daily Maximum	15.5 mg/L	2.4 mg/L	001	09/30/2012
Total Ammonia Nitrogen	Monthly Average	1.11 mg/L	1.1 mg/L	001	10/31/2012
Total Ammonia Nitrogen	Daily Maximum	5.31 mg/L	2.4 mg/L	001	10/31/2012
Total Ammonia Nitrogen	Monthly Average	15.29 lbs/day	9.2 lbs/day	001	05/31/2013
Total Ammonia Nitrogen	Weekly Average	15.38 lbs/day	15.0 lbs/day	001	05/31/2013
Total Ammonia Nitrogen	Monthly Average	2.29 mg/L	1.1 mg/L	001	05/31/2013
Total Ammonia Nitrogen	Weekly Average	2.35 mg/L	1.8 mg/L	001	05/31/2013
Total Ammonia Nitrogen	Daily Maximum	15.5 mg/L	2.4 mg/L	001	05/31/2013
Total Ammonia Nitrogen	Daily Maximum	6.17 mg/L	5.0 mg/L	001	12/31/2012
Total Ammonia Nitrogen	Monthly Average	3.12 mg/L	2.1 mg/L	001	01/31/2013
Total Ammonia Nitrogen	Daily Maximum	9.74 mg/L	5.0 mg/L	001	01/31/2013
Total Ammonia Nitrogen	Monthly Average	46.64 lbs/day	17.5 lbs/day	001	02/28/2013
Total Ammonia Nitrogen	Weekly Average	48.82 lbs/day	29.2 lbs/day	001	02/28/2013
Total Ammonia Nitrogen	Monthly Average	17.99 mg/L	2.1 mg/L	001	02/28/2013
Total Ammonia Nitrogen	Weekly Average	18.75 mg/L	3.5 mg/L	001	02/28/2013
Total Ammonia Nitrogen	Daily Maximum	84.3 mg/L	5.0 mg/L	001	02/28/2013
Total Ammonia Nitrogen	Monthly Average	4.21 mg/L	2.1 mg/L	001	03/31/2013
Total Ammonia Nitrogen	Weekly Average	4.2 mg/L	3.5 mg/L	001	03/31/2013
Total Ammonia Nitrogen	Daily Maximum	6.47 mg/L	5.0 mg/L	001	03/31/2013
Total Ammonia Nitrogen	Monthly Average	19.22 lbs/day	17.5 lbs/day	001	04/30/2013
Total Ammonia Nitrogen	Monthly Average	7.11 mg/L	2.1 mg/L	001	04/30/2013
Total Ammonia Nitrogen	Weekly Average	5.91 mg/L	3.5 mg/L	001	04/30/2013
Total Ammonia Nitrogen	Daily Maximum	35.7 mg/L	5.0 mg/L	001	04/30/2013
Total Phosphorus	Monthly Average	0.87 mg/L	0.5 mg/L	001	06/30/2012
Total Phosphorus	Monthly Average	0.84 mg/L	0.5 mg/L	001	07/31/2012
Total Phosphorus	Monthly Average	36.74 mg/L	0.5 mg/L	001	08/31/2012
Total Phosphorus	Monthly Average	0.71 mg/L	0.5 mg/L	001	09/30/2012
Total Phosphorus	Monthly Average	0.94 mg/L	0.5 mg/L	001	10/31/2012
Total Phosphorus	Monthly Average	0.8 mg/L	0.5 mg/L	001	05/31/2013
Total Phosphorus	Monthly Average	0.76 mg/L	0.5 mg/L	001	06/30/2013
E.Coli, MTEC-MF	Geometric Mean	140.37/100 mL	126/100 mL	001	07/31/2012
Total Suspended Solids % removal	Monthly Avg. Min	84%	85%		06/30/2012
Total Suspended Solids % removal	Daily Minimum	30%	40%		07/31/2012
Total Suspended Solids % removal	Monthly Avg. Min	78%	85%		07/31/2012
Total Suspended Solids % removal	Monthly Avg. Min	81%	85%		08/31/2012
Total Suspended Solids % removal	Daily Minimum	27%	40%		01/31/2013
Total Suspended Solids % removal	Monthly Avg. Min	76%	85%		01/31/2013
Dissolved Oxygen	Instantaneous Minimum	5.88 mg/L	6.0 mg/L	001G	07/31/2011

<u>Parameter</u>	<u>Violation</u>	<u>Measurement</u>	<u>Limit</u>	<u>Outfall</u>	<u>Reporting Period</u>
Total Nitrogen	Monthly Average	16.86 mg/L	11.0 mg/L	001	10/31/2011
Total Nitrogen	Monthly Average	2.15 mg/L	1.1 mg/L	001G	05/31/2012
Total Nitrogen	Weekly Average	2.06 mg/L	1.8 mg/L	001G	05/31/2012
Total Nitrogen	Daily Average	5.32 mg/L	2.4 mg/L	001G	05/31/2012
E.Coli, MTEC-MF	Daily Maximum	980/100 mL	941/100 mL	001	12/31/2011
IC25 Static Renewal 7 Day Chronic Ceriodaphnia	Minimum	27.8%	100%		04/30/2012
Nitrite plus nitrate	Monthly Average	Incomplete DMR		001	06/30/2012
Nitrite plus nitrate	Monthly Average	Incomplete DMR		001	06/30/2012
Nitrite plus nitrate	Daily Maximum	Incomplete DMR		001	06/30/2012
Nitrite plus nitrate	Monthly Average	Incomplete DMR		001	09/30/2012
Nitrite plus nitrate	Monthly Average	Incomplete DMR		001	09/30/2012
Nitrite plus nitrate	Daily Maximum	Incomplete DMR		001	09/30/2012
Bis[2-ethylhexyl] phthalate	Monthly Average	Incomplete DMR		001	06/30/2012
Bis[2-ethylhexyl] phthalate	Daily Average	Incomplete DMR		001	06/30/2012
Bis[2-ethylhexyl] phthalate	Monthly Average	Incomplete DMR		001	09/30/2012
Bis[2-ethylhexyl] phthalate	Daily Average	Incomplete DMR		001	09/30/2012
Ph	Maximum	Incomplete DMR		001	03/31/2012
IC25 Static Renewal 7 Day Chronic Chrceriodaphnia	Minimum	27.8 %	100%	001	04/30/2012

The EPA requests, pursuant to Section 308 of the CWA, 33 U.S.C. §1318, that the City provide a written explanation of the reasons for each of the aforementioned violations, and any other effluent violations that may have occurred from January 1, 2013, to the present, and provide a summary of actions taken or planned by the City to correct the problems and to prevent future violations. In instances where the actions are planned, please include a schedule for completing the actions.

The City must submit this information within 30 days of receipt of this correspondence. The submittal must be addressed to:

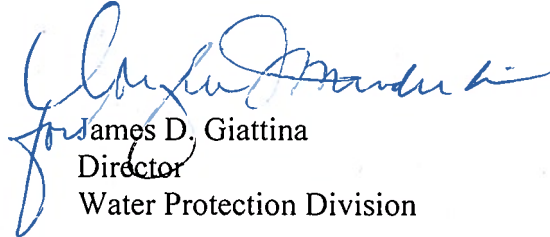
Ms. Mary Mattox  
U.S. Environmental Protection Agency, Region 4  
Clean Water Enforcement Branch  
Atlanta Federal Center  
61 Forsyth Street, S.W.  
Atlanta, Georgia 30303-8960

The State of Tennessee is being concurrently notified of these findings. The EPA is coordinating with the State to ensure that timely and appropriate enforcement action is taken and compliance with the conditions of the Permit is achieved.

If these violations are not resolved in a timely or appropriate manner, and/or the City fails to respond to the Information Request, the EPA may take enforcement action, which may include issuance of an administrative order, assessment of administrative penalties, or initiation of a civil judicial action pursuant to Section 309 of the CWA, 33 U.S.C. §1319.

If you have questions regarding this notice and information request, please contact Ms. Mary Mattox at (404) 562-9733 or via e-mail at [mattox.mary@epa.gov](mailto:mattox.mary@epa.gov).

Sincerely,



James D. Giattina  
Director  
Water Protection Division

Enclosures

cc: Dr. Sandra Dudley, Director  
Tennessee Department of Environmental and Conservation